

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SARAH JONES, as guardian, parent, and
next friend of her minor child “Jimmy,”

Plaintiff,

v.

MASSACHUSETTS INTERSCHOLASTIC
ATHLETIC ASSOCIATION,

Defendant.

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) Civil Action No. _____
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**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. § 1441(a) (FEDERAL QUESTION)**

Pursuant to 28 U.S.C. § 1441(a), Defendant Massachusetts Interscholastic Athletic Association (“MIAA”) hereby removes to this court the state court action described below.

1. Plaintiff commenced this action on or about August 24, 2022 by filing a complaint in the Superior Court for Norfolk County Massachusetts entitled *Sarah Jones as guardian, parent, and next friend of her minor child “Jimmy” v. Massachusetts Interscholastic Athletic Association*, Civil Action No. 2282CV00775 (“State Court Action”). This action is now pending in that court.

2. MIAA was served with a copy of the Complaint on August 29, 2022. This Notice of Removal is being filed within thirty days of August 29, 2022, as required by 28 U.S.C. § 1446(b). Copies of all documents filed in the State Court action attached hereto as Exhibit A.

3. The State Court Action is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one that may be removed to this Court by MIAA under 28 U.S.C. § 1441(a) in that it arises under federal law. In this regard, Plaintiff repeatedly

asserts claims based on his equal protection rights under the Fourteenth Amendment to the U.S. Constitution. See Complaint (Exh. A) at ¶¶ 7, 73-87, and at pp. 2, 13-15.

4. This Notice of Removal is being filed in the District of Massachusetts, the district court of the United States for the district within which the State Court Action is pending, as required by 28 U.S.C. §§ 1446(a) and 1441(a).

5. Upon filing of this Notice of Removal, MIAA shall give written notice thereof to Plaintiff, and shall file a certified copy of this Notice of Removal with the Clerk of the Superior Court for Norfolk County, Massachusetts.

6. By filing this Notice of Removal, MIAA does not waive any defenses available to it, jurisdictional or otherwise.

WHEREFORE, MIAA respectfully requests that this action proceed in this Court as an action properly removed.

Respectfully submitted,

Massachusetts Interscholastic Athletic Association

By its attorneys,

/s/ John M. Simon

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Dated: September 6, 2022

Certificate of Service

I hereby certify that on September 6, 2022, I served a true and accurate copy of the foregoing document on each of the following parties by hand delivery and electronic mail as follows:

Plaintiff Sarah Jones

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/s/ John M. Simon

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